

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 18

July 29, 2010

SUBJECT: INVESTIGATIVE REPORT, FORM 03.01.00 - REVISED

EFFECTIVE: IMMEDIATELY

PURPOSE: The purpose of this Order is to revise the Investigative Report, Form 03.01.00, to include boxes for the e-mail address(s) and cell phone number(s) of the victim and involved person(s). In addition, the Investigative Report has been revised to include the Marsy's Rights Card as a third page of the report.

PROCEDURE:

- I. **INVESTIGATIVE REPORT, FORM 03.01.00 - REVISED.** The Investigative Report (IR) has been revised to include boxes for the email address(s) and cell phone number(s) of the victim and involved person(s). The IR has also been revised to include a third page, which contains the Marsy's Rights Card in both English and Spanish.

The use, completion and distribution of this form remains unchanged.

- II. **EMPLOYEE'S RESPONSIBILITIES.** Officers who complete an IR shall ensure the victim or person reporting receive the person reporting's copy and the third page with the Marsy's Rights Card.

If officers complete the report telephonically, they **shall** mail, fax, or e-mail as an attachment, a Marsy's Rights Card to the victim.

Note: If officers complete any crime report that is not documented on an IR (e.g., Stolen Vehicle Report, CHP Form 180, combined crime/arrest report; etc.), officers shall provide a Marsy's Law Card as required in Section 4/203.34 of the Department Manual.

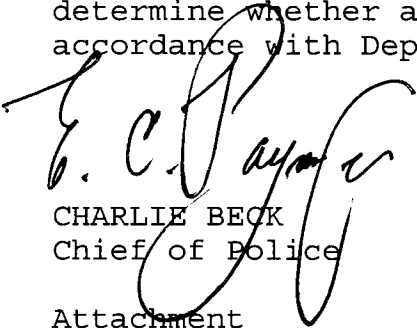
FORM AVAILABILITY: The revised IR is available in LAPD Forms on the Department's Local Area Network and is attached for immediate use and duplication.

July 29, 2010

AMENDMENTS: This Order amends Section 4/203.34 of the Department Manual. The "Form Use Link" applicable to the Investigative Report is accessible in Volume V of the Department Manual.

MONITORING RESPONSIBILITY: All commanding officers shall have monitoring responsibility for this directive.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachment

DISTRIBUTION "D"

Los Angeles Police Department INVESTIGATIVE REPORT

COMBINED EVID. REPORT
MULTIPLE DRS ON THIS REPORT

Page _____ of _____ 03.01.00 (07/10)

REPORT OF:

INVEST. DIV.

INC #

DR #

CASE SCREENING FACTOR(S)

- ☐ SUSPECT/VEHICLE NOT SEEN
☐ PRINTS OR OTHER EVIDENCE NOT PRESENT
☐ MO NOT DISTINCT
☐ PROPERTY LOSS LESS THAN \$5,000
☐ NO SERIOUS INJURY TO VICTIM
☐ ONLY ONE VICTIM INVOLVED

VICTIM

LAST NAME, FIRST, MIDDLE (OR NAME OF BUSINESS)		SEX	DESC	HT	WT	AGE	DOB
ADDRESS		ZIP		PHONE		X	
B -							
E-MAIL ADDRESS				CELL PHONE			
DR. LIC. NO. (IF NONE, OTHER ID & NO.)		FOREIGN LANGUAGE SPOKEN		OCCUPATION			

PREMISES (SPECIFIC TYPE) ☐ ATM

ENTRY 459/BFV POINT OF ENTRY	POINT OF EXIT	LOCATION OF OCCURRENCE	SAME AS V/S <input type="checkbox"/> RES. <input type="checkbox"/> BUS.	R.D.	PRINTS BY PREL. INV. ATTEMPT <input type="checkbox"/> Y <input type="checkbox"/> N
FRONT <input type="checkbox"/>	METHOD	DATE & TIME OF OCCURRENCE	DATE & TIME REPORTED TO PD		
REAR <input type="checkbox"/>	INSTRUMENT/TOOL USED	TYPE PROPERTY STOLEN/LOST/DAMAGED <input type="checkbox"/> 03.04.00 GIVEN	STOLEN/LOST	RECOVERED	EST. DAMAGED ARSON / VAND.
SIDE <input type="checkbox"/>			\$	\$	\$
ROOF <input type="checkbox"/>					
FLOOR <input type="checkbox"/>					
OTHER <input type="checkbox"/>					

VICT'S VEH. (IF INVOLVED) YEAR, MAKE, TYPE, COLOR, LIC. NO. NOTIFICATION(S) (PERSON & DIVISION) CONNECTED REPORT(S) (TYPE & DR #)

MO IF LONG FORM, LIST UNIQUE ACTIONS. IF SHORT FORM, DESCRIBE SUSPECTS ACTIONS IN BRIEF PHRASES INCLUDING WEAPON USED. DO NOT REPEAT ABOVE INFO BUT CLARIFY REPORT AS NECESSARY. IF ANY OF THE MISSING ITEMS ARE POTENTIALLY IDENTIFIABLE, ITEMIZE AND DESCRIBE ALL ITEMS MISSING IN THIS INCIDENT IN THE NARRATIVE.

MANDATORY MARSY'S RIGHTS
CARD PROVIDED TO THE VICTIM ☐

SUSPICIOUS
ACTIVITY(SAR) ☐

HATE
CRIME/INCIDENT ☐

DOMESTIC
VIOLENCE ☐

REPORTING EMPLOYEE(S)	INITIALS, LAST NAME	SERIAL NO.	DIV./DETAIL	PERSON SIGNATURE	OR RECEIVED BY PHONE
			NOTE: IF SHORT FORM AND VICTIM/PR ARE NOT THE SAME, ENTER PR INFORMATION IN INVOLVED PERSONS SECTION		

Complete below sections if any CASE SCREENING FACTOR(S) boxes are not checked.

SUSP'S VEHICLE	YEAR	MAKE	MODEL	TYPE	Interior	Exterior	Body	Windows
COLOR(S)	VEH. LIC. NO.	STATE			1 BUCKET SEATS 2 DAMAGED INSIDE	1 CUSTOM WHEELS 2 PAINTED INSCRIPT 3 LEVEL ALTERED 4 RUST/PRIMER 5 CUSTOM PAINT 6 VINYL TOP	1 DAMAGE 2 MODIFIED 3 STICKER 4 LEFT 5 RIGHT 6 FRONT 7 REAR	1 DAMAGE 2 CUST 3 CURTAINS 4 LEFT 5 RIGHT 6 FRONT 7 REAR
SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	AGE	CLOTHING	NAME, ADDRESS, DOB, IF KNOWN; NAME, BKG. NO., CHARGE, IF ARRESTED.
S-1 PERSONAL ODDITIES (UNUSUAL FEATURES, SCARS, TATTOOS, ETC.)						Weapon (VERBAL THREATS, BODILY FORCE, SIMULATED GUN, ETC. IF KNIFE OR GUN, DESCRIBE FULLY.)		
SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	AGE	CLOTHING	NAME, ADDRESS, DOB, IF KNOWN; NAME, BKG. NO., CHARGE, IF ARRESTED.
S-2 PERSONAL ODDITIES (UNUSUAL FEATURES, SCARS, TATTOOS, ETC.)						Weapon (VERBAL THREATS, BODILY FORCE, SIMULATED GUN, ETC. IF KNIFE OR GUN, DESCRIBE FULLY.)		

INVOLVED PERSON(S) W - WITNESS; R - PERSON RPTG.; S - PERSON SECURING(459); D - PERSON DISCOVERING(459); P - PARENT;
CP - CONTACT PERSON (DOMESTIC VIOLENCE) IP - INVOLVED PARTY

NAME	SEX	DESC	DOB	ADDRESS	CITY	ZIP	PHONE
DR. LIC. NO. (IF NONE, LIST OTHER ID & NO.)	FOREIGN LANGUAGE SPOKEN		B -				
E-MAIL ADDRESS			CELL PHONE				
NAME	SEX	DESC	DOB	ADDRESS	CITY	ZIP	PHONE
DR. LIC. NO. (IF NONE, LIST OTHER ID & NO.)	FOREIGN LANGUAGE SPOKEN		B -				
E-MAIL ADDRESS			CELL PHONE				
NAME	SEX	DESC	DOB	ADDRESS	CITY	ZIP	PHONE
DR. LIC. NO. (IF NONE, LIST OTHER ID & NO.)	FOREIGN LANGUAGE SPOKEN		B -				
E-MAIL ADDRESS			CELL PHONE				

COMBINED EVID. RPT.	USE THIS SECTION IN LIEU OF PROPERTY REPORT IF NO GUN AND NO MORE THAN THREE ITEMS OF EVIDENCE.	LOC. EVID. BKD.	10.10.00 GIVEN? <input type="checkbox"/> Y <input type="checkbox"/> N	Preliminary Drug Test	SUPV./INV. OFCR. TESTING SERIAL NO.	WITNESS OFCR.	SERIAL NO.
ITEM	QUAN.	ARTICLE	SERIAL NO./TYPE TEST OF DRUG	BRAND/DRUG WEIGHT, UNITS	MODEL NO./ DRUG TEST RESULT	MISC.	

NARRATIVE USE THE FOLLOWING HEADINGS TO DOCUMENT ALL INFORMATION REGARDING THE INVESTIGATION: ADDITIONAL PERSONS INVOLVED (separated by type); SOURCE OF ACTIVITY; INVESTIGATION; ARREST; INJURY/MEDICAL TREATMENT; PHOTOGRAPHS, BOOKING, EVIDENCE; ADDITIONAL, COLLISION SUMMARY; PROPERTY STOLEN/LOST/RECOVERED/DAMAGED, AND COURT INFORMATION. NOTE: ANY OF THESE HEADINGS MAY BE OMITTED IF NOT APPLICABLE. SEE FIELD NOTEBOOK DIVIDER - GENERAL REPORTING INSTRUCTIONS, FORM 18.30.00 AND FIELD NOTEBOOK DIVIDER - IR, FORM 18.30.01 FOR FURTHER INFORMATION.

VICTIM INDEMNIFICATION INFORMATION (IF APPLICABLE)	IS ANY OF THE VICTIM'S PROPERTY MARKED WITH AN OWNER APPLIED IDENTIFICATION NUMBER? YES <input type="checkbox"/> NO <input type="checkbox"/>	
APPROVAL AND REVIEW	SUPERVISOR APPROVING SERIAL NO. DIVISION	DETECTIVE SUPERVISOR REVIEWING SERIAL NO.
	DATE & TIME REPRODUCED CLERK DIVISION	CATEGORY

CTCB
MAJOR
CRIMES

SHOTS
FIRED

USE OF FORCE

BAROTICS
STOLEN -
HARC. DIV.

OND-GIT

FIREARM STOLEN:
LOST - DSVD & P&I
CRIME PROPERTY TT SUPVR

CHILD ABUSE
JUVENILE DIV.

EXTRA COPIES

Los Angeles Police Department INVESTIGATIVE REPORT		COMBINED EVID. REPORT MULTIPLE DRS ON THIS REPORT	
Page _____ of _____ 03.01.00 (07/10)		REPORT OF: _____ INVEST DIV. _____ INC # _____ DR # _____	
CASE SCREENING FACTOR(S) <input type="checkbox"/> SUSPECT/VEHICLE NOT SEEN <input type="checkbox"/> PRINTS OR OTHER EVIDENCE NOT PRESENT <input type="checkbox"/> MO NOT DISTINCT <input type="checkbox"/> PROPERTY LOSS LESS THAN \$5,000 <input type="checkbox"/> NO SERIOUS INJURY TO VICTIM <input type="checkbox"/> ONLY ONE VICTIM INVOLVED PREMISES (SPECIFIC TYPE) <input type="checkbox"/> ATM		VICTIM LAST NAME, FIRST, MIDDLE (OR NAME OF BUSINESS) _____ SEX _____ DESC _____ HT _____ WT _____ AGE _____ DOB _____ ADDRESS _____ ZIP _____ PHONE _____ X _____ R - _____ B - _____ E-MAIL ADDRESS _____ CELL PHONE _____ DR. LIC. NO. (IF NONE, OTHER ID & NO.) _____ FOREIGN LANGUAGE SPOKEN _____ OCCUPATION _____	
		ENTRY 459/BFV POINT OF ENTRY _____ POINT OF EXIT _____ LOCATION OF OCCURRENCE _____ SAME AS VS <input type="checkbox"/> RES. <input type="checkbox"/> BUS. R.D. _____ PRINTS BY PREL. INV. _____ <input type="checkbox"/> FRONT <input type="checkbox"/> REAR <input type="checkbox"/> SIDE <input type="checkbox"/> ROOF <input type="checkbox"/> FLOOR <input type="checkbox"/> OTHER _____ METHOD _____ DATE & TIME OF OCCURRENCE _____ DATE & TIME REPORTED TO PD _____ INSTRUMENT/TOOL USED _____ TYPE PROPERTY STOLEN/LOST/DAMAGED <input type="checkbox"/> 03.04.00 GIVEN _____ STOLEN/LOST _____ RECOVERED _____ EST. DAMAGED ARSON/VAND _____ \$ _____ \$ _____ \$ _____	
		VICT'S VEH. (IF INVOLVED) YEAR, MAKE, TYPE, COLOR, LIC. NO. _____ NOTIFICATION(S) (PERSON & DIVISION) _____ CONNECTED REPORT(S) (TYPE & DR #) _____	
		MO IF LONG FORM, LIST UNIQUE ACTIONS. IF SHORT FORM, DESCRIBE SUSPECTS ACTIONS IN BRIEF PHRASES INCLUDING WEAPON USED. DO NOT REPEAT ABOVE INFO BUT CLARIFY REPORT AS NECESSARY. IF ANY OF THE MISSING ITEMS ARE POTENTIALLY IDENTIFIABLE, ITEMIZE AND DESCRIBE ALL ITEMS MISSING IN THIS INCIDENT IN THE NARRATIVE.	
MANDATORY MARSY'S RIGHTS CARD PROVIDED TO THE VICTIM <input type="checkbox"/> SUSPICIOUS ACTIVITY(SAR) <input type="checkbox"/> HATE CRIME/INCIDENT <input type="checkbox"/> DOMESTIC VIOLENCE <input type="checkbox"/>			
REPORTING EMPLOYEE(S) INITIALS, LAST NAME _____ SERIAL NO. _____ DIV./DETAIL _____ PERSON REPORTING _____ SIGNATURE _____ OR RECEIVED BY PHONE _____ NOTE: IF SHORT FORM AND VICTIM/PR ARE NOT THE SAME, ENTER PR INFORMATION IN INVOLVED PERSONS SECTION.			

THIS REPORT DOES NOT CONSTITUTE VALID IDENTIFICATION

KEEP THIS REPORT FOR REFERENCE. INSTRUCCIONES EN ESPANOL AL REVERSO.

Your case will be assigned to a detective for follow-up investigation based upon specific facts obtained during the initial investigation. Studies have shown that the presence of these facts can predict whether a detailed follow-up investigation would likely result in the arrest and prosecution of the suspect(s) or the recovery of property, in a manner that is cost-effective to you, the taxpayer. Significant decreases in personnel have made it impossible for detectives to personally discuss each and every case with all crime victims. A detective will not routinely contact you, unless the detective requires additional information.

TO REPORT ADDITIONAL INFORMATION: If you have specific facts to provide which might assist in the investigation of your case, please contact the detective Monday through Friday, between 8:00 A.M. and 9:30 P.M., or between 2:30 P.M. and 4:00 P.M. at telephone number _____. If the detective is not available when you call, please leave a message and include the telephone number where you can be reached.

COPY OF REPORT: If you wish to purchase a copy of the complete report, phone (213) 485-4193 to obtain the purchase price. Send a check or money order payable to the Los Angeles Police Department to Records and Identification Division, Box 30158, Los Angeles, CA 90030. Include a copy of this report or the following information with your request: 1) Name and address of victims; 2) Type of report and DR number (if listed above); 3) Date and location of occurrence. NOTE: Requests not accompanied by proper payment will not be processed.

DR NUMBER: If not entered on this form, the DR number may be obtained by writing to Records and Identification Division and giving the information needed to obtain a copy of the report (see above paragraph). Specify that you only want the DR number. It will be forwarded without delay. There is no charge for this service.

CREDIT CARDS/CHECKS: Immediately notify concerned credit corporation or banks to avoid possibility of being liable for someone else using your stolen or lost credit card or check.

HOW YOU CAN HELP THE INVESTIGATION OF YOUR CASE:

- * Keep this memo for reference.
- * If stolen items have serial numbers not available at time of report, attempt to locate them and phone them to the detective at the listed number.
- * If you discover additional losses, complete and mail in the Supplemental Property Loss form given to you by the reporting employee.
- * Promptly report recovery of property.
- * Promptly report additional information such as a neighbor informing you of suspicious activity at time crime occurred.

VICTIM-WITNESS ASSISTANCE PROGRAM: The Los Angeles City and County Victim-Witness Assistance Program (VWAP) can help to determine if you qualify for Victim of Violent Crime compensation. If you qualify, they will assist with filling your claim application. If you are a victim or a witness to a crime and will be going to court, they will explain the court procedures to you. Their staff may also assist you with other problems created by the crime.

To find the program location nearest to you, call the Victim-Witness Assistance Program at the Los Angeles City Attorney's Office (213) 485-6976, or the Los Angeles County District Attorney's Office (213) 974-7499.

VICTIMS OF VIOLENT CRIME COMPENSATION: Refer to paragraph at bottom of reverse side.

DEPARTAMENTO DE POLICIA
DE LOS ANGELES

MEMORANDUM DE REPORTE PARA VICTIMAS

Su caso será asignado a un detective para continuar la investigación basándose en factores específicos obtenidos durante la investigación inicial. Estudios han demostrado que la presencia de estos factores pueden predecir si una investigación detallada podría resultar en el arresto y prosecución del responsable o la recuperación de la propiedad, de una manera que es menos costosa para ud, el contribuyente. Disminuciones significantes de personal han hecho imposible a los detectives discutir personalmente cada caso con todas las víctimas de crímenes. El detective no lo contactara rutinariamente a menos que requiera información adicional.

PARA REPORTAR INFORMACIÓN ADICIONAL: Si tiene datos específicos que proveer que pudieran asistir en la investigación de su caso, favor de comunicarse con el detective de Lunes a Viernes, entre las 8:00 y 9:30 de la mañana o entre las 2:30 y 4:00 de la tarde al teléfono _____. Si el detective no se encuentra disponible cuando usted llame, favor de dejar un mensaje incluyendo un número de teléfono donde se pueda comunicar con ud.

COPIA DE REPORTE: Si desea comprar una copia del reporte completo, llame al (213) 485-4607 para obtener el precio actual. Remita un cheque o giro postal a Los Angeles Police Department Records and Identification Division, Box 30158, Los Angeles, California 90030. Incluya con su petición una copia de este reporte o la siguiente información: 1) Nombre y domicilio de la víctima(s); 2) Tipo de reporte, y numero de DR, (si está listado en esta forma); 3) Fecha y lugar de los hechos. NOTA: Peticiones no adjuntas al pago apropiado no serán procesadas.

Numero DR: Si no aparece en esta forma, el número DR se puede obtener escribiendo a Records and Identification Division dandoles la información necesaria para obtener una copia del reporte (véa el parrafo superior). Especifique que usted quiere el número DR. Será mandado sin tardanzas. No hay cargos por este servicio.

TARJETA DE CREDITO/CHEQUES: Notifique inmediatamente a su compañía de crédito o banco para evitar la posibilidad de hacerse sujeto a que alguien use sus cheques o tarjeta perdida o robada.

COMO PUEDE AYUDAR EN LA INVESTIGACION DE SU CASO

- Mantenga este memorándum como referencia.
- Si los bienes robados tienen número de serie, y no los tenía al llenar el reporte trate de localizarlos y llame al detective al número listado.
- Si describa pérdidas adicionales, llene y mande la forma Supplemental Property Loss proveida por el empleado tomando el reporte.
- Reporte la recuperación de bienes de inmediato.
- Reporte detalles adicional de inmediato tal como un vecino informandole de actividad sospechosa en el tiempo en que ocurrió el delito.

PROGRAMA DE ASISTENCIA A VICTIMAS Y TESTIGOS El programa de asistencia a víctimas y testigos de la ciudad y del condado de Los Angeles (WVAP) puede ayudar a determinar si usted califica para una compensación como víctima de un crimen violento. Si usted califica, le ayudarán a llenar su reclamo. Si usted es víctima o testigo de un crimen y estará asistiendo a la corte, ellos le explicarán el procedimiento de la corte. El personal del programa también le puede ayudar con otros problemas causados por el crimen.

Para encontrar el sitio del programa mas cercano a usted, llame al Programa de Asistencia a Víctimas y Testigos en la oficina del abogado de la Ciudad de Los Angeles (213) 485-6976 o a la oficina del Fiscal del Condado de Los Angeles (213) 974-7499.

COMPENSACION PARA VICTIMAS DE CRIMENES VIOLENTOS: Si usted ha sido víctima de un crimen violento y está herido a causa de ese crimen, usted puede calificar para un reembolso de parte del Estado por gastos médicos: pérdidas de sueldo o de mantenimiento, rehabilitación o reentrenamiento vocacional. Si la herida o la muerte resultó a causa de un accidente automovilístico, usted o su afectado también puede calificar si el chófer culpable fué somtido a uno de los siguientes cargos: conducir bajo la influencia del alcohol o de drogas; chocar y huir; usar el vehículo como arma, o huyendo del sitio de un delito violento.

Si usted pagó los gastos fúnebres de una víctima de un delito violento, puede ser reembolsado hasta \$2,275 por los gastos. El Estado no reembolsará por daños ni pérdidas de propiedad. La ley (Sección 13959 y las subsiguientes secciones del Código Gubernamental) requiere que la víctima sea residente de California, que reporte el crimen y que coopere con la ley para recibir el reembolso. Usted tiene un año, a partir de la fecha del delito, para hacer su reclamo (este límite se puede extender si hay una causa que lo justifique).

Obtenga una solicitud como víctima de crimen violento llamando al Programa de Asistencia a Víctimas y Testigos: Abogado de la Ciudad (213) 485-6976, Abogado de Distrito (213) 974-7499. También puede encontrar aplicaciones en las estaciones de la policía de Los Angeles.

VICTIMS OF VIOLENT CRIME COMPENSATION: If you are a victim of a violent crime and are injured as a result of the crime, you may be able to be repaid by the State for medical expenses, loss of wages or support, rehabilitation or job retraining. If injury or death was the result of an auto accident, you or your survivor may also qualify if the driver at fault was charged with one of the following: driving under the influence of alcohol or drugs; hit and run; using the vehicle as a weapon; or fleeing the scene of a violent crime.

If you paid the funeral/burial expenses for someone who was a victim of a violent crime, you may be repaid up to \$2,275 for these expenses. Property loss or damage will not be repaid by the State. The law (California Government Code Section 13959 et seq.) requires that a victim must be a California resident, must report the crime, and must cooperate with law enforcement in order to receive repayment. You have one year from the date of the crime to file a claim (may be extended for good cause).

To Obtain a victim of violent crime application, you may call one of these Victim-Witness Assistance Programs: City Attorney - (213) 485-6976, District Attorney - (213) 974-7499. Copies of the application may also be obtained at any Los Angeles police station.

GUARDE ESTE MEMORANDUM PARA REFERENCIA

www.LAPDOnline.org
www.joinLAPD.com

Page _____ of _____		TYPE OF REPORT			BOOKING NO.		DR NO.	
ITEM NO.	QUAN.	ARTICLE	SERIAL NO.	BRAND	MODEL NO.	MISC. DESCRIPTION (COLOR, SIZE, INSCRIPTIONS, CALIBER, REVOLVER, ETC.)	DOLLAR VALUE	

Victims' Bill of Rights - Marsy's Law

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

1. Fairness and Respect

To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

2. Protection from the Defendant

To be reasonably protected from the defendant and persons acting on behalf of the defendant.

3. Victim Safety Considerations in Setting Bail and Release Conditions

To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

4. The Prevention of the Disclosure of Confidential Information

To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. Refusal to be Interviewed by the Defense

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

6. Conference with the Prosecution and Notice of Pretrial Disposition

To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

7. Notice of and Presence at Public Proceedings

To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

8. Appearance at Court Proceedings and Expression of Views

To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

9. Speedy Trial and Prompt Conclusion of the Case

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

10. Provision of Information to the Probation Department

To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

11. Receipt of Pre-Sentence Report

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

12. Information About Conviction, Sentence, Incarceration, Release, and Escape

To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

13. Restitution

A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. The Prompt Return of Property

To the prompt return of property when no longer needed as evidence.

15. Notice of Parole Procedures and Release on Parole

To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

16. Safety of Victim and Public are Factors in Parole Release

To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

17. Information About These 16 Rights

To be informed of the rights enumerated in paragraphs (1) through (16).

For more information on Marsy's Law, visit the Attorney General's Website at: www.ag.ca.gov/victimservices/

To obtain information on the Victim Witness Assistance Center nearest to you contact:

Attorney General's Victim Services Unit

1-877-433-9069

Derechos Civiles de Víctimas - Ley de Marsy

La Constitución de California, Artículo 1, Sección 28, otorga ciertos derechos a víctimas de crimen, tal como lo define la ley. Los derechos incluyen:

1. Justicia y respeto

De ser tratado con justicia y respeto en su intimidad y dignidad y de ser libre de intimidación, acoso y maltrato durante el proceso completo de justicia penal o del proceso de justicia penal a menores.

2. Protección contra el acusado

De ser razonablemente protegido contra el acusado y de personas actuando en nombre del acusado.

3. Consideración a la seguridad (bien estar) de la víctima cuando afirmando la fianza y las condiciones de libertad condicional

De tomar en consideración la seguridad (bien estar) de la víctima y de su familia cuando afirmando fianza y regalías asociadas a libertad condicional para el acusado.

4. La prevención de divulgación de información confidencial

De prevenir la revelación de información o registros confidenciales al acusado, su abogado, o cualquier otra persona actuando en nombre del acusado, que podrían ser empleados para localizar o acosar la víctima o su familia o revelación de comunicativos confidenciales efectuados en el transcurso de tratamientos médicos o tratamientos psicológicos, o los cuales se consideren privilegiados y confidenciales ante la ley.

5. Denegación de ser entrevistado por el defensor

De negar ser entrevistado, declaración bajo jurada, o por petición legal del acusado con su abogado o cualquier otra persona actuando en nombre del acusado y de afirmar condiciones razonables sobre la manera y forma de realización de cualquier entrevista con el consentimiento de la víctima.

6. Notificación de disposición a juicio y conferencia con el fiscal

Ante petición de la víctima, de ser notificado razonablemente de y de consultar razonablemente con la fiscalía, sobre cuestiones de arresto del acusado, si es que son conocidos por el fiscal, los cargos, la determinación sobre la extradición del acusado y ante petición de la víctima, de ser notificado de e informado de antemano sobre resoluciones y disposición del caso, anteriores al juicio.

7. Notificación de y citación a procedimientos públicos

De ser notificado razonablemente de todos los procedimientos públicos, incluyendo procedimientos de delincuencia, ante petición de la víctima a los cuales el acusado y el fiscal son autorizado a estar presente y de todos los procedimientos ante-convicción y libertad condicional y de estar presente a todos tales procedimientos.

8. Presencia al tribunal y presentación de su declaración

De tener el derecho a presentar su caso, con permiso de la fiscalía en todo procedimiento legal, incluyendo procedimientos de delincuencia relacionados a decisiones posteriores a el arresto, declaraciones, sentencia, decisiones posteriores de convicción o cualquier procedimiento en el cual se encuentran en balance los derechos de la víctima.

9. Juicio rápido y conclusión del caso inmediato

A un juicio rápido y conclusión final inmediata del caso y cualquier procedimiento posterior relacionado al fallo.

10. Prover información al departamento de libertad condicional

De prover información al departamento de libertad condicional que realiza la investigación previa a sentencia sobre el impacto que el delito tuvo sobre la víctima y la familia de la víctima y cualquier otras recomendaciones de sentencia antes de sentenciar el acusado.

11. Acusar recibo de reporte pre-sentencia

De recibir ante petición de la víctima, el reporte previo a la sentencia al momento que se le sea disponible al acusado, menos aquellas porciones del reporte que se consideren confidenciales ante la ley.

12. Información sobre convicciones, sentencias, arrestos, libertad o intentos de fugas

De ser informado ante petición de la víctima, de la convicción, sentencia, lugar y hora de encarcelamiento, o de cualquier otra disposición del acusado, la fecha prevista de emisión a libertad y el lugar de libertad o intentos de fuga.

13. Restitución

A. Es la inequívoca intención de la población del estado de California que toda persona que sufra pérdidas como resultado de actividades criminales, se les otorgue el derecho de buscar y obtener restitución de parte de las personas culpables de haber causado las sufridas pérdidas.

B. Restitución será ordenada en todo caso por parte del convicto malhechor, irrespectable a la disposición o sentencia impuesta, en la cual la víctima sufrió pérdidas.

C. Todos pagos monetarios, sueldos, y propiedad colectada de cualquier persona que se le ordeno hacer restitución será primeramente aplicadas a las sumas ordenadas como restitución a la víctima.

14. Entrega inmediata de propiedad

A la entrega inmediata de propiedad cuando ya no se necesita como evidencia.

15. Notificación de procedimientos de libertad condicional y emisión a libertad condicional

De ser informado de todos los procedimientos, de participar con el proceso de libertad condicional, de prover información que las autoridades consideren antes de conceder libertad condicional al acusado y de ser notificado de la libertad condicional o cualquier otra forma de libertad del acusado.

16. Seguridad (bien estar) de víctima y el publico en general son factores de consideración para la emisión a libertad condicional del acusado

De tomar en consideración antes de permitir libertad condicional o decisiones posteriores al fallo, la seguridad (bien estar) de la víctima, la familia de la víctima y el publico en general.

17. Información sobre estos 16 derechos

De ser informado de los derechos enumerados en los párrafos (1) a (16).

Para mas información sobre Marsy's Law visite el website del Procurador General de California al:

<http://www.ag.ca.gov/victimservices/>

Para recibir mas información sobre el Centro de Asistencia para víctimas testigos mas cercano, comuníquese con la Oficina del Procurador General de California.

Oficina de Servicios a Víctimas

1-877-433-9069